

**A RESOLUTION
BY FINANCE/ EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO THE POOL HALL IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND SEVEN HUNDRED FIFTY NINE DOLLARS AND TWENTY SIX CENTS (\$5,759.26) FOR ALCOHOL EXCISE TAXES PAID IN ERROR TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 529010 (REFUNDS) T31001 (UNALLOCATED FUND WIDE EXPENSES); AND FOR OTHER PURPOSES.

WHEREAS, The Pool Hall has requested a refund in the amount of Five Thousand Seven Hundred Fifty Nine Dollars and Twenty Six Cents (\$5,759.26) for alcohol excise taxes paid in error to the City of Atlanta for the years 2003-2006; and

WHEREAS, The Pool Hall has submitted supporting documents to the Office of Revenue to substantiate its claim; and

WHEREAS, the Office of Revenue investigated the claim and has determined that The Pool Hall is entitled to a refund in an amount not to exceed Five Thousand Seven Hundred Fifty Nine Dollars and Twenty Six Cents (\$5,759.26).

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Chief Financial Officer is hereby directed to issue a refund to The Pool Hall in an amount not to exceed Five Thousand Seven Hundred Fifty Nine Dollars and Twenty Six Cents (\$5,759.26) for alcohol excise taxes paid in error to the City of Atlanta for the years 2003-2006.

BE IT FURTHER RESOLVED, that said refund shall be charged to and paid from Fund Account and Center number 1A01 (General Fund) 529010 (Refunds) T31001 (Unallocated Fund Wide Expenses).

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/ Executive Committee

Caption: A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO THE POOL HALL IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND SEVEN HUNDRED FIFTY NINE DOLLARS AND TWENTY SIX CENTS (\$5,759.26) FOR ALCOHOL EXCISE TAXES PAID IN ERROR TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 529010 (REFUNDS) T31001 (UNALLOCATED FUND WIDE EXPENSES); AND FOR OTHER PURPOSES.

Council Meeting Date: September 17, 2007

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to refund Alcohol Excise Taxes (TBD) that were paid in error for the years, 2003-2006

2. Please provide background information regarding this legislation.

The Pool Hall is a nightclub establishment which erroneously included their Beer & Wine Sales with the Alcohol Sales and is therefore requesting a refund for payments remitted in 2003 through 2006, in the amount of \$5,759.26

3. If Applicable/Known:

- (a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** NA
- (b) **Source Selection:** NA
- (c) **Bids/Proposals Due:** NA
- (d) **Invitations Issued:** NA
- (e) **Number of Bids:** NA

(f) **Proposals Received:** NA

(g) **Bidders/Proponents:** NA

(h) **Term of Contract:** NA

4. Fund Account Center (Ex. Name and number): General Fund-Refunds-Unallocated Fund-Wide Expenses 1A01 (General Fund) 529010 (Refunds) T31001 (Unallocated Fund-Wide Expenses)

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: This legislation will result in a reduction in the amount of \$5,759.26 to Fund Account Center Number 1A01 (General Fund) 529010 (Refunds) T31001 (Unallocated Fund-Wide Expenses)

7. Method of Cost Recovery: NA

This Legislative Request Form Was Prepared By: Alice Hughes, Finance Dept. Ext.1973, submitted by LaShawn Gardiner, ext. 6449

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: LaShawn Gardiner *L. Gardiner*

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/ Executive Committee

Chief of Staff Deadline: August 24, 2007

Anticipated Committee Meeting Date(s): September 11-12, 2007

Anticipated Full Council Date: September 17, 2007

Legislative Counsel's Signature: *SB*

Commissioner Signature: *James A. Spivey*

Chief Procurement Officer Signature: _____

CAPTION

A RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ISSUE A REFUND TO THE POOL HALL IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND SEVEN HUNDRED FIFTY NINE DOLLARS AND TWENTY SIX CENTS (\$5,759.26) FOR ALCOHOL EXCISE TAXES PAID IN ERROR TO THE CITY OF ATLANTA; ALL FUNDS SHALL BE CHARGED TO AND PAID FROM FUND ACCOUNT AND CENTER NUMBER 1A01 (GENERAL FUND) 529010 (REFUNDS) T31001 (UNALLOCATED FUND WIDE EXPENSES); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$5,759.26

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 8/24/07 *NS* Reviewed by: *JP*
(date) (date)

Submitted to Council: _____
(date)